United Nations S/2011/301

Security Council

Distr.: General
13 May 2011
English
Original: French

Letter dated 12 May 2011 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Stabilization Mission in Haiti (MINUSTAH), established pursuant to resolution 1542 (2004) of 30 April 2004 and recently extended pursuant to resolution 1944 (2010) of 14 October 2010.

Following the customary consultations, it is my intention to appoint Mr. Mariano Fernández (Chile) as my Special Representative and Head of MINUSTAH. He will replace Mr. Edmond Mulet (Guatemala), who will complete his assignment on 31 May 2011. I would like to take this opportunity to express my appreciation to Mr. Mulet for his dedication and effective leadership of MINUSTAH.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

11-33829 (E) 130511 130511

Please recycle

United Nations S/2011/302

Security Council

Distr.: General
13 May 2011
English
Original: French

Letter dated 13 May 2011 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 12 May 2011 (S/2011/301) concerning your intention to appoint Mr. Mariano Fernández (Chile) as your Special Representative for Haiti and Head of the United Nations Stabilization Mission in Haiti (MINUSTAH) has been brought to the attention of the members of the Security Council, who have taken note thereof.

(*Signed*) Gérard **Araud**
President of the Security Council

11-33835 (E) 130511 130511

Please recycle

United Nations S/2011/303

Security Council

Distr.: General
9 May 2011

Original: English

Letter dated 6 May 2011 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, I have the honour to transmit herewith the Chair's summary of the special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on the issue of the prevention of terrorism, held at the Council of Europe at Strasbourg, France, from 19 to 21 April 2011 (see annex).

The Committee would appreciate it if the present letter and its annex could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) H. S. **Puri**
Chair
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Please recycle

Annex

Chair's summary

The Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism held a special meeting from 19 to 21 April 2011 at the Council of Europe in Strasbourg. The objective was to provide an opportunity for the Counter-Terrorism Committee, the Counter-Terrorism Committee Executive Directorate and international, regional and subregional organizations to hold open and in-depth discussions about the preventive aspects of Security Council resolutions 1373 (2001), 1624 (2005) and 1963 (2010) and of the United Nations Global Counter-Terrorism Strategy.

I am particularly pleased that the Counter-Terrorism Committee has been able to work with the Council of Europe on this initiative, particularly in respect of the expertise that the Council possesses in the area of terrorism prevention linked to the Convention on the Prevention of Terrorism, which addresses for the first time many of the important issues under discussion in this meeting.

I have invited the Secretary-General of the Council of Europe to participate in the September special meeting of the Counter-Terrorism Committee on the tenth anniversary of the establishment of the Committee, and look forward to hearing the ideas of the Council of Europe on this meeting.

The aim of the special meeting held this week was to identify areas of complementarity and cooperation in the implementation of these resolutions in order to develop international best practices, codes and standards to assist Member States in their efforts to prevent terrorist acts.

To that end, the meeting was organized into plenary and working group sessions. The first half-day of the meeting was held in plenary to provide the framework for the subsequent working group sessions and provide an overview of the international legal framework for the prevention of terrorism and of policies, measures and good practices in this area, in particular from the point of view of contributions by international, regional and subregional organizations. It discussed progress achieved, challenges faced and lessons learned in the prevention of terrorism.

To optimize the time available and build upon the experiences and knowledge of all participants, the meeting was organized into three working groups, each group focusing on specific aspects of prevention. Working group I focused on prevention policies, including discussions on the prevention of radicalization and incitement to commit terrorist acts, the prevention of terrorist recruitment and the role of public-private partnership in preventing terrorism. Working group II concentrated on comprehensive and integrated strategies to prevent terrorism through, inter alia, national frameworks and inter-agency coordination, communication in the prevention of terrorism through media and survivor networks, and international cooperation on such issues as human rights and its enhancement while countering terrorism. Working group III dealt with the role of law enforcement and the criminal justice system in preventing terrorism. This included discussions on identification, analysis and information-sharing, criminalization and prosecution of offences related to terrorism such as incitement and recruitment to terrorism, safeguards in

criminal proceedings, and prevention through bilateral, regional and international cooperation, for example, through early-warning systems and information exchange.

In order to enrich the discussion, several experts from civil society organizations were invited and participated actively in the working groups.

Security Council resolution 1624 (2005) calls on States to criminalize incitement, but States take many different approaches, and working group I discussed some of them. The group recognized the importance of the promotion and protection of human rights and that a range of human rights need to be taken into account, including freedom of expression, freedom of association and the right to a fair trial. The group recognized the difficulty of defining incitement but concluded that the lack of an agreed definition of terrorism should not be used as a pretext for inaction, since all are aware of what terrorism is.

It discussed the meaning of incitement and the ways in which it could be tackled. Should the posting of extremist content on the Internet be criminalized, or should such posts be deleted? There are issues such as these that, at the working level, would require the involvement and commitment of the private sector. It is clear that religion is not the problem, but that the collective alienation of communities, however, is a serious risk and that civil society should play a key role in prevention.

The use of counter-narratives has been seen as an effective tool to counter incitement to terrorism. They might include the accounts of former terrorists. Various ideas were exchanged as to how to promote such counter-narratives, but one clear idea that emerged was that working at the grass-roots level is crucial and that a top-down approach is not as effective, although indirect collaboration with Government authorities can be helpful.

On recruitment, it was clear that recruitment is a criminal offence, requiring international cooperation and, in that respect, the support of international and regional organizations. Nevertheless, civil society and the private sector can play key roles in detection and early warning as recruitment takes place in diverse social settings, and is not necessarily a rigid process.

Participants in more than one group mentioned the lack of universal definitions of incitement and recruitment as obstacles to international cooperation in the criminalization and prosecution of preventive offences.

Working group II looked at the importance of States' development of national strategies in the interest of holistic and comprehensive approaches to effectively countering terrorism. In particular, it was agreed that the identification of a lead coordination agency is important, but that it is often a challenging issue.

Victims of terrorism are often neglected. There are conceptual problems, as it is incorrectly assumed that only States can violate human rights, but that is not the case.

The promotion and protection of human rights is the key issue. Human rights are a useful framework and not an obstacle. Promoting human rights can lead to the prevention of terrorism, by addressing conditions conducive to the spread of terrorism.

Working group III discussed law enforcement approaches to the prevention of terrorism. It was agreed that the exchange of information in a comprehensive and timely manner is the key to the prevention of terrorism from a law enforcement perspective. The elements essential to law enforcement information exchange and cooperation are: (a) a legal base, (b) know-how, (c) means/resources, (d) channels for communication, and (e) mutual trust.

Mutual trust is the sine qua non of information exchange and, arguably, the hardest to achieve. Participants discussed the need to have personal contact, and a network, but acknowledged that there is no universal solution. Intelligence agencies have similar forms of cooperation.

Participants also stressed the difficulties associated with the prosecution of preventive offences.

The group also discussed community policing. Community policing implies the need to have a complete understanding of the local community, as well as the need to win the support of the local community.

In fact, one important thread that ran through the discussions of all the working groups was the essential role of community, civil society and the private sector — family, schools, universities, religious institutions, youth organizations, commercial businesses — in addition to and in collaboration with the State authorities.

Finally, the role of international and regional organizations in assisting States in the prevention of terrorism was discussed. A number of concrete measures elaborated by the organizations were identified as measures which added value to international counter-terrorism efforts:

- Adoption of medium-term programmes by States;
- Regular information exchange, including that on terrorist organizations recognized as such at the regional level;
- Elaboration of model laws and models of other normative standards;
- Development of glossaries and notion terms in the counter-terrorism field;
- Live exercises through cross-border cooperation;
- Development of various international counter-terrorism databases;
- Enhancement of national capacity-building in border control, judicial sphere, judicial police and community police cooperation;
- Enhancement of support of national human rights protection entities and bar associations;
- Activities undertaken by international and regional organizations as intermediary actors in the dialogue between State authorities and civil society and media on the involvement of the latest know-how in the prevention of terrorism;
- Support of national counter-terrorism focal points and their cooperation via regional structures; and

- Assistance to States in the transposition of relevant international obligations in this field into domestic law and in the elaboration of national definitions in concrete terms.

Participants agreed that international and regional organizations had another key role. Common risk assessment is a facilitating factor for the exchange of information, and in this respect participants underlined that the role of international and regional organizations is fundamental in the organization of activities which may not be directly related to information exchange but which help to create informal and formal networking and thus help to build the trust essential for information exchange.

Following the meeting, the Counter-Terrorism Committee Executive Directorate will consolidate the outcomes and provide everyone with a document outlining the main observations made by meeting participants. It is hoped that this document will assist the Counter-Terrorism Committee, the Counter-Terrorism Committee Executive Directorate and the Council of Europe, as well as all participating organizations and States, in their future work on this important subject.

It is the Chair's intention to utilize the deliberations in the very productive individual sessions, as reflected in the document to be circulated by the Counter-Terrorism Committee Executive Directorate and in the present summary, which has been prepared on the Chair's responsibility, as inputs that will feed into preparations for the tenth anniversary of the establishment of the Counter-Terrorism Committee, which will be observed in September 2011.

United Nations A/ES-10/518–S/2011/304

General Assembly
Security Council

Distr.: General
16 May 2011

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-sixth year

Identical letters dated 13 May 2011 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

This week, the Palestinian people are solemnly observing the passage of 63 years since the 1948 Al-Nakba, by which the majority of the Palestinian people were expelled or fled in fear from their homeland of Palestine, becoming an uprooted, dispossessed and displaced people. Those refugees and their descendants number nearly 5 million people, constituting the largest and most protracted refugee problem in the world. At this time, the Palestinian people reflect on their history and their present conditions with deep sorrow as they continue to suffer grave hardships in their ongoing quest to realize their legitimate national aspirations for self-determination, freedom, justice, peace and security in their homeland.

The hardships of Al-Nakba continue for the Palestinian people as they continue to live either in exile as refugees throughout the region and the Diaspora or under the belligerent military occupation of Israel, the occupying Power, since 1967 in the Palestinian Territory, including East Jerusalem, forced to endure the systematic violation of their fundamental human rights and war crimes at the hands of the occupying Power for nearly 44 years. The persistence of such Israeli human rights violations and grave breaches of international humanitarian law is a clear confirmation of Israel's total disrespect for international law and the countless United Nations resolutions calling for respect for its legal obligations. It is also a clear confirmation of the deep contempt of the occupying Power for the rights and very existence of the Palestinian people, whom it continues to collectively punish, colonize, humiliate, intimidate and subjugate to all forms of oppression. The regrettable inability of the international community to seriously confront Israel's defiance has only fuelled its intransigence and impunity, compounding the conflict and the suffering and cyclical crises imposed on the Palestinian people and the region as a whole.

11-34116 (E) 180511

Please recycle

Today, the Palestinian people and their leadership once again call upon the international community to assume its responsibilities vis-à-vis the question of Palestine and to exert all necessary efforts to advance the achievement of a comprehensive peace settlement that justly resolves all aspects of the question of Palestine, including ensuring the realization by the Palestinian people of their right to self-determination and freedom in their independent State of Palestine on the basis of the 1967 borders, with East Jerusalem as its capital, and ensuring a just and lasting solution to the plight of the Palestine refugees. The international community must act upon the principles enshrined in the Charter of the United Nations, the rule of international law and the relevant United Nations resolutions to bring an end to the injustices imposed on the Palestinian people for more than 60 years and an end to the denial and gross violation of their inalienable human rights.

In this connection, we condemn the use of force and intimidation by Israel, the occupying Power, against peaceful Palestinian demonstrators throughout the Occupied Palestinian Territory, including in neighbourhoods in East Jerusalem, where civilian demonstrators have been shot at with rubber bullets and tear gas by the Israeli occupying forces and several have been arrested. The right of these demonstrators to peaceful protest must be fully respected as they continue expressing their rejection of the Israeli occupation; calling for a complete end to the occupation and to all of its attendant illegal policies and practices, including the colonization of the Palestinian land, the imprisonment of thousands of Palestinian civilians, including women and children, and all other measures of collective punishment, foremost among them the illegal blockade of the Gaza Strip; calling for justice; and calling for the realization of their inalienable human rights. The Palestinian leadership totally rejects any attempts by the occupying Power to suppress the expression of our people for their legitimate national rights and aspirations, and continues to call for their protection under international humanitarian law.

As such, we will continue to call for the full cessation of Israel's settlement colonization campaign in the Occupied Palestinian Territory, including in and around Occupied East Jerusalem. Such flagrant breaches of international law and United Nations resolutions and defiance of the international consensus in this regard must not be tolerated. These actions are gravely undermining the prospects for achieving the two-State solution and are poisoning the environment between the two sides, preventing the resumption of peace negotiations on the basis of the internationally supported terms of reference. The construction of settlements and the continued confiscation of Palestinian land and demolition of Palestinian homes and properties and revocation of residency rights are all illegal measures clearly aimed at altering the demographic composition and character of the Occupied Palestinian Territory. Such unlawful measures have further isolated Occupied East Jerusalem from its natural Palestinian environs and are seriously destroying the Territory's contiguity, integrity, unity and viability. At the same time, just as in 1948, the occupying Power's unlawful construction of the Wall, which is clearly part of the settlement campaign, is causing entire communities to be destroyed and thousands of Palestinian families to be displaced, and continues to cause serious harm to the socio-economic conditions of the Palestinian people.

In addition, we reiterate our calls for a complete end to Israel's shameful and illegal blockade of the Gaza Strip, which continues in collective punishment of the entire Palestinian civilian population there and in defiance of the calls from all corners of the world for an end to this inhumane siege. Moreover, Israeli officials

continue to incite and provoke with irresponsible, illogical and hostile statements in response to the recent reconciliation among Palestinian political factions, a reconciliation long called for and deeply desired by the Palestinian people, whose unity is an utmost priority for the Palestinian leadership. In this connection, Israel also continues to withhold Palestinian tax revenues that are necessary for the effective functioning of the Palestinian Authority and its institutions. This unlawful and provocative act is yet another act of collective punishment that is further aggravating the already difficult financial situation of the Palestinian people. We call on the international community to exert the necessary efforts to compel Israel to release all Palestinian funds and to end its illegal blockade and all other acts aimed at subjugating, humiliating and oppressing the Palestinian people.

These unlawful acts are compounding the hardship of the Palestinian people and are seriously sabotaging the efforts to achieve the two-State solution to the Israeli-Palestinian conflict on the basis of the 1967 borders and a just and lasting peace throughout the region. We thus reaffirm that the cessation of Israeli violations of international law is essential for salvaging the hopes and potential for peace and achieving justice for the Palestinian people.

The international community must find the will to do what is necessary to uphold international law and to help the two sides seize the opportunity for peace that exists before us. This requires urgent efforts to ensure compliance by Israel, the occupying Power, with relevant United Nations resolutions and decisions and its legal obligations under the Fourth Geneva Convention and the human rights covenants. The United Nations, including the Security Council, has an important role to play in this regard and must exercise responsibility to address this ongoing crisis with a view to achieving a just and lasting resolution this year. Courage and leadership is needed at this critical juncture in our region to ultimately end this prolonged tragedy and bring peace and security to the Palestinian and Israeli peoples with the achievement of a lasting, comprehensive peace based on the two-State solution of an independent, sovereign and viable State of Palestine, living side by side in peace and security with Israel on the basis of the 1967 borders, and the achievement of a just solution to the problem of the Palestine refugees in accordance with resolution 194 (III) of 1948.

This letter is in follow-up to our previous 390 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 2 May 2011 (A/ES-10/517-S/2011/280) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.

United Nations S/2011/305

Security Council

Distr.: General
16 May 2011

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and statements of its President concerning Sudan,

Recalling the 30 March 2011 interim report by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005) and extended by subsequent resolutions,

Determining that the situation in Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Reaffirms the importance of the measures set out in previous resolutions, including 1945 (2010),

Decides to extend until 19 February 2012 the mandate of the Panel of Experts, originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1691 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), 1891 (2009) and 1945 (2010), and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible,

Requests the Panel of Experts to provide a final report no later than 30 days prior to termination of its mandate to the Council with findings and recommendations,

Decides to remain actively seized of the matter.

11-34197 (E) 170511

Please recycle

United Nations S/2011/306

Security Council

Distr.: General
17 May 2011
English
Original: Arabic

Letter dated 13 May 2011 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

I have the honour to refer to Security Council resolution 1973 (2011), dated 17 March 2011, concerning the situation in the Libyan Arab Jamahiriya.

I should like to inform you that Kuwait is continuing to provide humanitarian assistance to the Libyan people who are suffering as a result of the events currently taking place in their country. Such assistance is also provided pursuant to paragraph 4 of the above-mentioned resolution, concerning support for international community efforts to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya. To date, that assistance has included the following:

- Kuwait has announced that it will provide the Libyan Transitional National Council with financial assistance worth $180 million. That emergency humanitarian assistance will help the Libyan people to overcome the current humanitarian and existential crisis.
- Through the Kuwait Red Crescent Society, Kuwait has dispatched a third relief aircraft bearing 20 tons of medicines and medical equipment to meet the most urgent needs of the Libyan people.
- The Tunisian field team of the Kuwait Red Crescent Society is continuing to carry out the relief operations and humanitarian programmes through which it supplies the wants of the displaced persons on the borders of Libya with Tunisia and oversees the delivery of humanitarian requirements to those in need on that border.

Kuwait is ready to provide any additional assistance and relief to the civilian population of Libya, in accordance with the provisions of Security Council resolution 1973 (2011), and trusts that the international endeavours that are exerted pursuant to the Security Council resolution will save the lives of our brothers in Libya and end the tragic situation in which they currently find themselves.

I should be grateful if you would circulate the present letter as a document of the Security Council.

(*Signed*) Mansour Ayyad **Alotaibi**
Permanent Representative

United Nations S/2011/307

Security Council

Distr.: General
17 May 2011
English
Original: French

Letter dated 16 May 2011 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit the attached communication dated 29 April 2011, which I have received from the Chairperson of the African Union Commission, Mr. Jean Ping, forwarding the communiqué on the situation in Libya adopted by the Peace and Security Council of the African Union at its 275th meeting, held in Addis Ababa on 26 April 2011 (see annex).

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) BAN Ki-moon

11-34370 (E) 200511 200511

Please recycle

Annex

[Original: English]

I am writing to you with respect to the situation in Libya, a major concern to African Union member States over the past few months. As you are aware, the African Union High-level ad hoc Committee on Libya has been making sustained efforts to engage the Libyan parties on the African Union road map that was adopted by the African Union Peace and Security Council (PSC) at its 265th meeting, on 10 March 2011.

Clearly, while the parties remain far apart from agreeing on the conditions required for the commencement of negotiations on a ceasefire and political reforms necessary to address the causes of the current crisis, we at the African Union feel encouraged to pursue our efforts in view of the unconditional acceptance of the African Union road map by the Libyan Government, and the commitment made by the Transitional National Council to study our proposals in depth and provide a feedback. Indeed, after the Committee's two separate interactions with the delegation of the Libyan Arab Jamahiriya and with the Transitional National Council in Addis Ababa, on 25 and 26 April 2011, it requested them to forward a document outlining their respective positions on the conditions and modalities of the implementation of the elements of the African Union road map.

The African Union is all the more determined to press ahead towards reducing the scale of fighting and other military operations that can only complicate the situation, put the people of Libya at a greater risk, worsen the humanitarian situation and further set hurdles in the search for a peaceful solution to the crisis.

I am forwarding, herewith attached, the communiqué on Libya, of the 275th meeting of the Peace and Security Council, which was held in Addis Ababa on 26 April 2011.

I would like to stress that while African Union member States are committed to the implementation of Security Council resolution 1973 (2011), whose sole purpose is the protection of the civilian population, they deem it fundamentally essential that all those who are involved in the implementation of its provisions fully comply with international legality.

Africa, and the neighbouring countries, in particular, stand to be the most affected by the continuation and aggravation of the current situation. Accordingly, our continent has a vital interest in the early resolution of the crisis in Libya within the framework of a Libyan-owned process.

I have no doubt that the African Union can count on your personal commitment and support, as reiterated by your Special Envoy for Libya, Mr. Abdel Elah al-Khatib, during his recent interaction with the ad hoc Committee in Addis Ababa, and that our two Organizations together with the League of Arab States, the Organization of the Islamic Conference and the European Union would, as provided for in paragraph 9 of the Peace and Security Council communiqué, effectively join efforts "to finalize promptly appropriate consultations with the Libyan parties ... in order to prepare the ground for the early holding, in a venue agreeable to the parties, ... of negotiations on a ceasefire and the other aspects of the Libyan crisis.

I should be most grateful if you would circulate the present letter and its attachment to the members of the Security Council for their information and action, as appropriate.

(*Signed*) Jean **Ping**

Attachment

Communiqué of the 275th meeting of the Peace and Security Council

The Peace and Security Council of the African Union (AU), at its 275th meeting held on 25 April 2011 at ministerial level, adopted the following decision on the situation in Libya:

Council:

1. Takes note of the report of the Chairperson of the Commission on the activities of the African Union High-level Ad Hoc Committee on the situation in Libya [PSC/PR/2 (CCLXXV)], as well as of the statements made by the representatives of the Libyan Arab Jamahiriya, the neighbouring countries of Libya and the other countries of the region. Council also takes note of the additional information provided by the Commission on the interaction between the Ad Hoc Committee, meeting at ministerial level in Addis Ababa, on 25 April 2011, and the Libyan parties, namely the representatives of the Government of the Libyan Arab Jamahiriya and those of the Transitional National Council (TNC) of Libya, as well as with the neighbouring countries of Libya, the other countries of the region and the AU partner organizations;

2. Recalls its previous communiqués on the situation in Libya, and reiterates the AU's deep concern at the continued fighting in Libya and its humanitarian consequences, the loss of human lives, and the resulting implications for the country's long-term security and stability, its national unity and territorial integrity, and for the region as a whole;

3. Reaffirms its strong commitment to the respect for the unity and territorial integrity of Libya;

4. Expresses its sincere appreciation to the members of the AU High-level Ad Hoc Committee on Libya, established by the 265th meeting of Council, held on 10 March 2011, for their commitment and the sustained efforts being made in pursuance of the mandate entrusted to the Committee, including the various meetings held, the engagement of the Libyan parties, in particular the visit undertaken to Tripoli and Benghazi, on 10 and 11 April 2011, respectively, and the interaction with the international partners;

5. Underscores, once again, the legitimacy of the aspirations of the Libyan people for democracy, political reform, justice, peace and security, as well as for socio-economic development, and the need to ensure that these aspirations are fulfilled in a peaceful and democratic manner. Council reaffirms. In this context, the relevance of the AU road map for the resolution of the Libyan crisis, as articulated in paragraph 7 of its communiqué PSC/PR/COMM 2 (CCLXV) of 10 March 2011 and further elaborated in the communiqués issued by the AU High-level Ad Hoc Committee on Libya at its Nouakchott meetings of 19 March and 9 April 2011;

6. Welcomes the acceptance by the Libyan Government, including Colonel Muammar Qaddafi, of the AU road map, including the specific issue of the ceasefire and deployment of an effective and credible monitoring mechanism. Council takes note of the Ad Hoc Committee's extensive discussions with the Chairman and members of the TNC, in Benghazi, on 11 April 2011, and with a TNC delegation, in

Addis Ababa, on 25 April 2011, as well as the regular interaction between the Commission and the TNC leadership;

7. Further welcomes the TNC's engagement with the Ad Hoc Committee and the information provided on its vision for the future of Libya and its position on the ongoing efforts by the AU to facilitate an early solution to the crisis in Libya, including the need for an urgent ceasefire, to be monitored by a credible and effective international mechanism, as well as an inclusive and consensual transition leading to the adoption and implementation of the necessary political reforms to address the causes of the current crisis, including the holding of democratic elections to enable the Libyans to freely choose their leaders;

8. Reiterates its full support for the work of the Ad Hoc Committee, which is appropriately placed to facilitate the early resolution of the crisis in Libya. Council encourages the Committee to continue and intensify its efforts within the framework of its mandate and in a manner consistent with, and complementary to, United Nations Security Council resolution 1973 (2011), which duly recognizes the role of the Committee in seeking a peaceful and lasting solution to the Libyan crisis;

9. Requests the Committee and the Commission to finalize promptly appropriate consultations with the Libyan parties and the multilateral and bilateral partners, in order to prepare the ground for the early holding, in a venue agreeable to the parties and under the auspices of the AU, the League of Arab States, the Organization of the Islamic Conference, the European Union and the United Nations, of negotiations on a ceasefire and the other aspects of the Libyan crisis. Council urges the Libyan parties to extend the necessary cooperation to the Committee. Council stresses that there should be no preconditions for the commencement of the negotiations, whose purpose is precisely to address the concerns of all the parties and to facilitate a compromise on the best way forward;

10. Welcomes the steps taken and efforts made to interact with AU international partners, in particular the United Nations, the League of Arab States, the Organization of the Islamic Conference and the European Union, as well as the Libya Contact Group, the BRICS and bilateral partners. Council urges the Ad Hoc Committee and the Commission to continue to engage the partners, and requests the said partners to extend the necessary cooperation to AU's efforts bearing in mind the provisions of Chapter VIII of the Charter of the United Nations on the role of regional arrangements in the settlement of disputes among and within their member States. In this respect, Council requests the Commission, in consultation with the Ad Hoc Committee, to liaise with the United Nations in order to schedule a briefing to the Security Council and engagement with it on the AU's road map and its efforts to resolve the Libyan crisis;

11. Reiterates the AU's commitment to the respect for resolution 1973 (2011). In this regard, Council stresses the need for all countries and organizations involved in the implementation of Security Council resolution 1973 (2011) to act in a manner fully consistent with international legality and the resolution's provisions, whose objective is solely to ensure the protection of the civilian population. Council urges all involved to refrain from actions, including military operations targeting Libyan senior officials and socio-economic infrastructure, that would further compound the situation and make it more difficult to achieve international consensus on the best way forward;

12. Invites the Chairperson of the Commission to request the African Commission on International Law to urgently convene a meeting to consider in depth the scope and legal implications of resolutions 1970 (2011) and 1973 (2011), in order to submit to it an expert view on the obligations of United Nations Member States, including the African countries, under these resolutions, for the purpose of facilitating follow-up and implementation at continental level, as well as interaction with the Security Council and concerned international partners on the evaluation of the implementation of these two resolutions;

13. Demands that all parties concerned fully respect international humanitarian law and facilitate the unimpeded access for humanitarian agencies to the needy populations, and also that the Libyan Government take all necessary steps to ensure the protection of its own population. Council strongly condemns the attacks and other abuses directed at African migrant workers, and demands that they cease forthwith. Council requests the Chairperson of the Commission to establish, with the support of the African Commission on Human and Peoples' Rights, a Commission of Inquiry on the situation of the African migrant workers in Libya, as well as on allegations of recourse to mercenaries in the ongoing hostilities, and to report to it as early as possible;

14. Expresses appreciation to all humanitarian agencies providing assistance to the needy populations and facilitating the evacuation of third-country nationals. Council encourages the Commission to pursue the efforts initiated to facilitate the mobilization of resources for the socio-economic reintegration of the African migrant workers who left Libya;

15. Reaffirms the legitimacy and seriousness of the concerns of the countries of the northern and Sahelo-Saharan regions with regard to the humanitarian and security implications of the current situation in Libya, in particular as it relates to the proliferation of arms, terrorism and transnational crime, and requests the Commission to continue to work closely with the countries concerned to identify ways to address these challenges;

16. Decides to remain actively seized of the matter.